

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

PRINTED: 03/23/2015
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 157474	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 02/23/2015
NAME OF PROVIDER OR SUPPLIER NIGHTINGALE HOME HEALTHCARE INC			STREET ADDRESS, CITY, STATE, ZIP CODE 1036 S RANGELINE RD CARMEL, IN 46032		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETION DATE	
G 000	<p>INITIAL COMMENTS</p> <p>This was a federal home health complaint investigation.</p> <p>Complaint IN00159540 - Substantiated: No deficiencies related to the allegation are cited. Unrelated deficiencies are cited.</p> <p>Survey date: December 29, 2014, and February 23, 2015.</p> <p>Facility number: 009554</p> <p>Medicaid Number: 200107010</p> <p>Surveyors: Michelle Weiss RN MSN Linda Dubak RN ASN Ingrid Miller, RN Public Health Nurse Surveyors</p> <p>Current Census: 665</p> <p>Quality Review: Joyce Elder, MSN, BSN, RN January 6, 2015</p>	G 000			
G 111	<p>484.10(d) CONFIDENTIALITY OF MEDICAL RECORDS</p> <p>The patient has the right to confidentiality of the clinical records maintained by the HHA.</p> <p>This STANDARD is not met as evidenced by: Based on document review and observation, the agency failed to ensure confidentiality of clinical records maintained by the home health agency for a total of 1044 clients.</p> <p>Findings include:</p>	G 111			

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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G 111	<p>Continued From page 1</p> <p>1. Confidential medical information was observed on 2/23/15 at 8:30 AM in an unlocked office at the Crown Point Nightingale office location. Inside the desk at second observation (#3) were confidential medical documents for patient #1 and other patients. These included information for patients at the home health agency.</p> <p>2. This was the first observation. The agency address was located inside a brick 3 story professional office building. On arrival at the agency address on 2/23/15 at 8:30 AM, entering the front door, there was a large sign with the names and floors of the business entities located in the building. The hospice name was not observed on this signage. Surveyor took the elevator, located next to the sign, to the 3rd floor. To the left of the elevator was a corridor, and immediately to the right of the corridor was a glass door with the name of another agency and daily hours of operation listed as 8:30 AM - 4:30 PM Monday-Friday and a phone number 219-310-8537. Inside the glass door was a hallway with two suites. No one answered when the surveyor knocked on the door.</p> <p>3. This was the second observation. On 2/23/15 at 9:06 AM, surveyor #2 visited the office on the 3rd floor for a second time. The front door to these suites was unlocked. The suite mentioned in the complaint was to the far right of the entry way. The surveyor knocked on the door. There was no answer. The surveyor opened the door and asked if anyone was inside. No one answered. Inside this office were a conference room, three individual offices, a kitchen area with a copy machine, and a storage room. One office had a fax machine and large L shaped desk and</p>	G 111			

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G 111	<p>Continued From page 2</p> <p>file cabinet. Inside the file cabinet were two large lists of patients with the name of the Hospice as a header. One list was dated 2003 (Document A) and one was dated 12/3/14 (Document B) Inside the desk drawer were resumes of applicants for nursing and marketing positions and other documents C - F and H and J. Another office contained a large box with marketing material and a letter from terminated employee C of the Ft. Wayne office (Document #I). The storage room was filled with medical supplies including syringes and blood specimin tubes. There was also a box with blank chart documents with the name of the Ft. Wayne hospice or the Ft. Wayne hospice phone number on the documents including document #G. (These documents are explained fully in the complaint narrative for the hospice.)</p> <p>4. An agency document titled "Information sheet" with the name of patient #1 scratched out but still legible included the patient's address, date of birth, diagnosis of liver cancer, Medicare number (scratched out but still legible), and other information about this patient. This document was found in the office desk drawer of the unlocked office. This is document #C listed above and in the complaint narrative.</p> <p>5. On 2/23/15 at 11:45 AM, Employee A, registered nurse (RN), from the Ft. Wayne office via telephone call, indicated the Crown Point office should have been locked up to protect what had been left behind in the unattended office when the contents of the office were moved back to Ft. Wayne.</p> <p>6. On 2/23/15, a complaint survey was being conducted at Nightingale Home</p>	G 111			

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G 111	<p>Continued From page 3</p> <p>Healthcare(HHA). At 10:30 AM, a phone call was received from the PHNSS (Public Health Nurse Surveyor Supervisor) for Home Health, Hospice, ESRD (End Stage Renal Disease), and RHC (Rural Health Clinic). The PHNSS indicated that surveyor #2 had entered a hospice facility in Crown Point and discovered a client list which included patient names, diagnosis type, and Current site which was listed as ' IN NGHT HH. "</p> <p>7. At 1:16 pm, an email with an attachment was received from Surveyor 2. The attachment contained employee information that included a resume and interview notes(?).</p> <p>8. Surveyor #2 sent another email and attachment at 3:44 pm. The attachment was one sheet listing patient name, med record #, start of care date, type of service, discipline, primary payer, priority, and site. It also contained Comcast billing information, another resume with interview notes, blank Nightingale Home Healthcare application including the signature of the administrator of the home health agency, an agenda for the hospice facility (unknown where) that listed discharges/bereavement, admissions, level of care changes, recertifications due for today's interdisciplinary team (IDT) meeting, and Recertifications due next IDT meeting: Wednesday 12/3/14, a third resume, billing information, personal day off request with employee ' s name and hire date, and an offer letter from nightingale home health for the Masters of social work position.</p> <p>9. At 3:52 pm, email was received from the PHNSS that stated, "Her [surveyor 2] records were of 1044 patients and because of the obscurity of who these patient belong [sic] to [the Division Director] has decided for this to be cited in all complaints. They [unknown] told (one of you) [unknown] this was a drop site for the HH</p>	G 111			

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G 111	Continued From page 4 [home health] and HHP [hospice] of Carmel." In an email dated February 26, 2015, at 10:55 AM, surveyor 3 indicated the PHNSS indicated the agency failed to maintain the confidentiality of the patient records.	G 111			
G 239	484.48(b) PROTECTION OF RECORDS Clinical record information is safeguarded against loss or unauthorized use. This STANDARD is not met as evidenced by: Based on document review the agency failed to safeguard clinical record information against loss or unauthorized use for a total of 1044 clients. Findings include: 1. Confidential medical information was observed on 2/23/15 at 8:30 AM in an unlocked office at the Crown Point Nightingale office location. Inside the desk at second observation (#3) were confidential medical documents for patient #1 and other patients. These included information for patients at the home health agency. 2. This was the first observation. The agency address was located inside a brick 3 story professional office building. On arrival at the agency address on 2/23/15 at 8:30 AM, entering the front door, there was a large sign with the names and floors of the business entities located in the building. The hospice name was not observed on this signage. Surveyor took the elevator, located next to the sign, to the 3rd floor. To the left of the elevator was a corridor, and immediately to the right of the corridor was a glass door with the name of another agency and	G 239			

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G 239	<p>Continued From page 5</p> <p>daily hours of operation listed as 8:30 AM - 4:30 PM Monday-Friday and a phone number 219-310-8537. Inside the glass door was a hallway with two suites. No one answered when the surveyor knocked on the door.</p> <p>3. This was the second observation. On 2/23/15 at 9:06 AM, surveyor #2 visited the office on the 3rd floor for a second time. The front door to these suites was unlocked. The suite mentioned in the complaint was to the far right of the entry way. The surveyor knocked on the door. There was no answer. The surveyor opened the door and asked if anyone was inside. No one answered. Inside this office were a conference room, three individual offices, a kitchen area with a copy machine, and a storage room. One office had a fax machine and large L shaped desk and file cabinet. Inside the file cabinet were two large lists of patients with the name of the Hospice as a header. One list was dated 2003 (Document A) and one was dated 12/3/14 (Document B) Inside the desk drawer were resumes of applicants for nursing and marketing positions and other documents C - F and H and J. Another office contained a large box with marketing material and a letter from terminated employee C of the Ft. Wayne office (Document #I). The storage room was filled with medical supplies including syringes and blood specimin tubes. There was also a box with blank chart documents with the name of the Ft. Wayne hospice or the Ft. Wayne hospice phone number on the documents including document #G. (These documents are explained fully in the complaint narrative for the hospice.)</p> <p>4. An agency document titled "Information sheet" with the name of patient #1 scratched out but still legible included the patient's address, date of</p>	G 239			

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G 239	<p>Continued From page 6</p> <p>birth, diagnosis of liver cancer, Medicare number (scratched out but still legible), and other information about this patient. This document was found in the office desk drawer of the unlocked office. This is document #C listed above and in the complaint narrative.</p> <p>5. On 2/23/15 at 11:45 AM, Employee A, registered nurse (RN), from the Ft. Wayne office via telephone call, indicated the Crown Point office should have been locked up to protect what had been left behind in the unattended office when the contents of the office were moved back to Ft. Wayne.</p> <p>6. On 2/23/15, a complaint survey was being conducted at Nightingale Home Healthcare(HHA). At 10:30 AM, a phone call was received from the PHNSS (Public Health Nurse Surveyor Supervisor) for Home Health, Hospice, ESRD (End Stage Renal Disease), and RHC (Rural Health Clinic). The PHNSS indicated that surveyor #2 had entered a hospice facility in Crown Point and discovered a client list which included patient names, diagnosis type, and Current site which was listed as ' IN NGHT HH. "</p> <p>7. At 1:16 pm, an email with an attachment was received from Surveyor 2. The attachment contained employee information that included a resume and interview notes(?).</p> <p>8. Surveyor #2 sent another email and attachment at 3:44 pm. The attachment was one sheet listing patient name, med record #, start of care date, type of service, discipline, primary payer, priority, and site. It also contained Comcast billing information, another resume with interview notes, blank Nightingale Home Healthcare application including the signature of the administrator of the</p>	G 239			

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G 239	Continued From page 7 home health agency, an agenda for the hospice facility (unknown where) that listed discharges/bereavement, admissions, level of care changes, recertifications due for today's interdisciplinary team (IDT) meeting, and Recertifications due next IDT meeting: Wednesday 12/3/14, a third resume, billing information, personal day off request with employee 's name and hire date, and an offer letter from nightingale home health for the Masters of social work position. 9. At 3:52 pm, email was received from the PHNSS that stated, "Her [surveyor 2] records were of 1044 patients and because of the obscurity of who these patient belong [sic] to [the Division Director] has decided for this to be cited in all complaints. They [unknown] told (one of you) [unknown] this was a drop site for the HH [home health] and HHP [hospice] of Carmel." In an email dated February 26, 2015, at 10:55 AM, surveyor 3 indicated the PHNSS indicated the agency failed to maintain the confidentiality of the patient records.	G 239			